

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 25

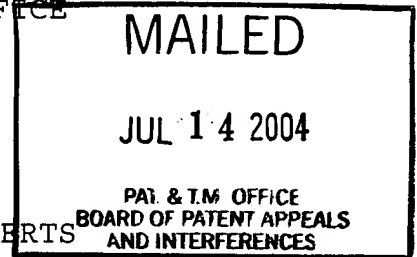
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAVID L. SALGADO, RUSS R. ROBERTS
DENNIS ULRICH and GARY R. KERN

Application No.09/448,804

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER



This application was received at the Board of Patent Appeals and Interferences on June 15, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

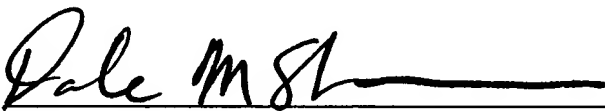
On November 26, 2002, appellants filed a Notice of Appeal (Paper No. 12). A review of the file reveals that the fee was not charged for the Appeal Brief. Before further review of this file, the above mentioned fee must be applied to the appellants' account.

Accordingly, it is

ORDERED that the application be returned to the Examiner for the charging of the Appeal Brief fee, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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